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The Kroger Company and
Fred Meyer Stores, Inc.*

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

SARAH VITORT, a consumer residing in
Oregon, individually and on behalf of all others
situated,

PLAINTIFF,

v.

THE KROGER COMPANY, an Ohio
corporation; **FRED MEYER STORES, INC.**, an
Ohio corporation; and DOES 1 through 100,
inclusive,

DEFENDANTS.

Case No. 3:20-cv-01317-AC

**DEFENDANTS' UNOPPOSED
MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO
PLAINTIFF'S OBJECTIONS TO
MAGISTRATE'S FINDINGS AND
RECOMMENDATIONS**

LR 7-1 CERTIFICATE OF COMPLIANCE

Counsel for Defendants The Kroger Company and Fred Meyer Stores, Inc. (“Defendants”) conferred with counsel for Plaintiff Sarah Vitort (“Plaintiff”) regarding the subject of this motion, as required under Local Rule 7-1. Plaintiff does not oppose the extension of time requested herein.

MOTION

Defendants respectfully move for an order under Fed. R. Civ. P. 6(b) and Local Rule 16-3 extending the time in which they must file their Response to Plaintiffs’ Objections to the Magistrate’s Findings and Recommendations on Defendants’ Motion to Dismiss by 15 days, from October 28, 2021, to a new due date of November 12, 2021 (given the holiday on November 11). The reason for the requested extension is that Defendants’ counsel primarily responsible for preparing Defendants’ response have a number of conflicting deadlines in other matters, and Defendants need more time to analyze Plaintiff’s objections and the arguments and authority therein and to prepare the response. Plaintiff does not oppose this requested extension, which is made in good faith and not for purposes of delay. The requested extension will not interfere with any pending deadline.

DATED this 18th day of October, 2021.

DAVIS WRIGHT TREMAINE LLP

By s/ James H. Moon

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